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Ontario Municipal Board
and
Board of Negotiation

ANNUAL REPORT 2000 - 2001

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ISSN 1703-2822

TO THE LIEUTENANT GOVERNOR
OF THE PROVINCE OF ONTARIO

MAY IT PLEASE YOUR HONOUR:

For the information of Your Honour and the Legislative Assembly, I have the privilege of presenting the Annual Report of the Ontario Municipal Board and the Board of Negotiation for the year 2000-2001.

Respectfully submitted,

(original to be signed upon approval)

David Young
Attorney General
Minister Responsible for Native Affairs

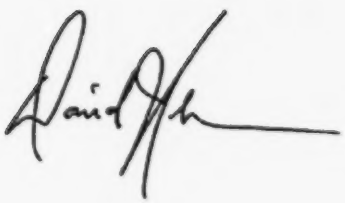
TO THE HONOURABLE DAVID YOUNG,

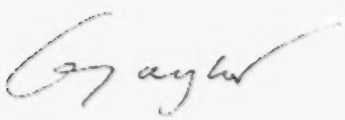
ATTORNEY GENERAL

MINISTER:

We have the pleasure of submitting for the approval of the Legislature the Annual Report of the Ontario Municipal Board and the Board of Negotiation for the year 2000-2001.

Respectfully submitted,





David J. Johnson
Chair
Ontario Municipal Board
Board of Negotiation

Gail Taylor
Chief Executive Officer
Ontario Municipal Board
Board of Negotiation

July, 2002

Chair's Message

This is my first opportunity to take formal stock of the Ontario Municipal Board (OMB) and the Board of Negotiation (BON) since my appointment as Chair. I am pleased to report that my experience over the past year has borne out my initial view of the OMB and BON as organizations devoted to maintaining the highest professional standards and a strong sense of public duty.

The last fiscal year saw the retirement of the former Chair and a Vice Chair from the Ontario Municipal Board. A Chair, a new Vice Chair and four new Members were appointed. The retiring Members have served with distinction, and the new Members bring skills and a level of dedication that will serve the OMB and Ontario well.

Over the past year, the OMB continued to take steps toward an administrative amalgamation of the OMB with the Assessment Review Board and Board of Negotiation, increasing its case management and administrative capacity. The reorganization of the OMB's management, the division of planning staff along geographic lines, the increased use of pre-hearing conferences, the use of mediation in appropriate cases and the ongoing monitoring of the OMB's performance measures has enabled the OMB to further minimize the time it takes to schedule new hearings and to engage in more proactive case management that in many instances has reduced the length of a hearing.

The OMB has continued to implement changes in response to agency reform initiatives. The OMB's Rules of Practice and Procedure were revised in 2000 and, from over a year of experience, appear to be working well.

To maintain a high standard of adjudicative excellence, the OMB ensured that new Members received appropriate training and guidance through its mentoring program. The program provides new Members with a basic orientation on the OMB's administrative practices, an overview of the legislative framework under which the OMB operates and an opportunity to sit with experienced Members on different types of cases. All Members continued to receive training through monthly workshops provided by the Education Committee and an annual three-day intensive training session.

To measure the OMB's effectiveness and to consider means of improving its services, several Vice Chairs and I met with and sought input from associations representing various groups that appear before the OMB. I was heartened to learn that they expressed satisfaction with the OMB's timely scheduling of hearings and rendering of decisions, and its proactive approach to case management.

I congratulate the OMB and BON Members and staff for their contributions to the Boards' successes throughout the year.

David J. Johnson

ONTARIO MUNICIPAL BOARD

ANNUAL REPORT

A OVERVIEW OF THE ONTARIO MUNICIPAL BOARD

Purpose of the Board

The Ontario Municipal Board (OMB) is an independent adjudicative tribunal which hears appeals on a wide range of municipal and land-related matters. The OMB deals with Official Plans, zoning by-laws, subdivision plans, consents and minor variances, land compensation, development charges, ward boundaries, aggregate resources and a wide range of other matters.

History and Jurisdiction

The Ontario Municipal Board is one of the Province's longest standing adjudicative tribunals. It was created in 1897, when the Office of the Provincial Municipal Auditor was established to supervise account-keeping by municipalities. In 1906, the Ontario Railway and Municipal Board was created, with the added responsibility of supervising the then-burgeoning rail transportation system between and within municipalities. In 1932, it was renamed the Ontario Municipal Board. Most powers given to the Board at that time have been retained to this day, and in fact have been greatly expanded by ensuing legislation.

The Board now obtains jurisdiction from more than 180 statutes. However, most of its work arises from the *Planning Act*. With the changes made to the *Assessment Act*, through the enactment of the *Fair Municipal Finance Act*, the Assessment Review Board (ARB) became the Province's sole adjudicative tribunal for property assessment complaints as of January 1, 1998. As a result of this change, only complaints heard by the ARB prior to this date can be appealed to the Ontario Municipal Board.

The Government has approved the administrative amalgamation of the Ontario Municipal Board, the Assessment Review Board and the Board of Negotiation. In support of this, a restructuring of the OMB was undertaken, in order to increase the case management and administrative capacity of the Board.

ONTARIO MUNICIPAL BOARD

Chair/Vice Chair/Members of the Board

At the end of 2000-2001, there were 31 full-time (Order-in-Council) appointees to the Board. The Lieutenant Governor, following a review process that includes an opportunity for review by the all-party Standing Committee on Government Agencies, appoints members to a three-year term. The membership includes a variety of professions: lawyers, planners, engineers, accountants, economists, farmers, teachers, professors, municipal elected representatives and municipal administrators. There is a requirement that the Board's head office be in the City of Toronto, but many Members live in communities outside the Toronto area, including Sudbury, Kingston, Ottawa and Grey County. Two Board Members are bilingual. Biographies of Board Members are provided at the end of this report.

During the year under review, a Chair and a Vice Chair left the Board, and a Chair, a Vice Chair and four full-time Members were appointed.

Chair/Vice Chair/Full-time Members appointed during 2000-2001:

David J. Johnson, Chair
Jan de P. Seaborn, Vice Chair
John R. Aker, Member
Gregory C. P. Bishop, Member
Norman A. Crawford, Member
David J. Culham, Member

Chair/Vice Chair/Members who are cross-appointed to the Assessment Review Board:

David J. Johnson, Chair
Susan Fish, Vice Chair
Marie Hubbard, Vice Chair
Robert D. M. Owen, Vice Chair
Jan de P. Seaborn, Vice Chair
Calvin A. Beach, Member
J. Robert Boxma, Member
Robert E. Drury, Member
Ronald J. Emo, Member
Donald R. Granger, Member
Gary A. Harron, Member
Narasim M. Katary, Member
Ted Yao, Member

ONTARIO MUNICIPAL BOARD

Chair/Vice Chair who departed the Board during 2000-2001

Douglas S. Colbourne retired on October 31, 2000, after 32 years' service with the Board. He was the Chair for four years (1996 to 2000), Executive Vice Chair since 1993, a Vice Chair since 1977 and a Board Member since 1968.

Diana L. Santo joined the Deputy Minister's Office at the Ministry of Municipal Affairs and Housing on June 15, 2000. She was a Vice Chair since 1991 and a Board Member since 1980.

New Member Orientation

The OMB continues to attach great importance to instructing new Board Members. One of the main features of orientation involves teaming a new Member with an experienced Member as his/her mentor. The program includes an orientation, introduction to applicable statutes, and a checklist of items such as the conduct of hearings, motions, proper production of evidence and writing decisions. New Members were assigned with experienced Members to preside at hearings of varying complexity and in differing subject areas. The Members' Manual was updated, a document covering the Board's policy and procedures, administrative matters, legislation and litigation and mediation practices. Many new Members participated in the Society of Ontario Adjudicators and Regulators' (SOAR) Adjudicator Training Course.

Continuing Education

The Continuing Education Committee conducted monthly workshops on a variety of topics, including changes in legislation, recent court decisions, and all aspects of conducting hearings and other proceedings.

The Board actively supports SOAR, both in its training programs and the annual Conference of Ontario Boards and Agencies (COBA). A number of Board Members hold membership in the Council of Canadian Administrative Tribunals (CCAT). This year, two Members attended the annual three-day educational conference. Many Members and staff have served on the Executive of these groups.

ONTARIO MUNICIPAL BOARD

B BOARD OPERATIONS

During this fiscal year, the Board received approximately 1360 cases, comprising 2049 files. Related files are grouped under one case number for case management purposes. A case may include one file or multiple files, depending on the nature of the submission. During this time period, approximately 1430 cases were closed.

There were more than 2175 cases before the Board at the end of the fiscal reporting period. Approximately 30% of all cases are settled or withdrawn before proceeding to a hearing. The figure increases to 40% when Assessment Cases filed prior to January 1, 1998 are included. This reflects the results of the Board's case management efforts.

The Board held in excess of 2800 hearing events during the year, including pre-hearing conferences, telephone conference calls, motion hearings and hearings.

Stakeholder Consultation

The Board continued to meet regularly with stakeholders to inform them about the Board's initiatives and to seek input on the needs of our clients. These stakeholders include the Ontario Bar Association (Municipal Section), Urban Development Institute, Association of Municipalities of Ontario, Regional Chairs, Area and Regional Solicitors Association, Federation of Northern Ontario Municipalities, Ontario Professional Planners Institute, Regional and County Planning Officials, the Ontario Association of Committees of Adjustment and Consent Authorities, the Canadian Environmental Law Association, the Ontario Municipal Administrators Association and the Ontario Home Builders Association.

Stakeholders were in general agreement that timelines for case scheduling and proactive case management by OMB staff had improved. Stakeholders identified, as an area for possible new Board policy, the notice provisions for appeals for which there was no Council decision or a refusal.

Case Management

The Board sought to increase its case management capacity with the introduction of a new organizational structure starting in April 2000. The Senior Case Manager and the Senior Manager, Business Planning and Information Management, report directly to the CEO. The Manager of Hearings and two Planning Managers report directly to the Senior Case Manager. This new structure allows for improved case management productivity as issues are narrowed, minimizing the time from receipt of new appeal files

to hearings, and gauging hearing length accurately.

With the recruitment of the new Planning Managers, the Board has an increased ability to plan, organize, co-ordinate and manage the progress of the OMB caseload. For the OMB's planning purposes, the Province is divided along geographic lines into "East" and "West" teams. Each team is subdivided into five regions. This assists the managers in assigning new cases and managing the overall caseload effectively. The Planning Managers advise and direct the Planners and Planning Assistants on a wide range of municipal, legislative and planning issues. Planning and development trends are tracked, performance measures monitored and cases screened to minimize processing time. In order to ensure that operations run smoothly, the Planning Managers assign new files to professional planning staff according to knowledge and experience, case complexities and responsibilities and workloads, in order to stream cases and make recommendations regarding appropriate processes for resolution of appeals to the Board.

The Board initiated the Case Action Program, or CAP, to review dormant or inactive files dating back to 1974. The objective of this project is to have these appeals resolved, either by bringing them to a hearing or by closing them. More than 450 files are under review. A Board Member or a member of the planning staff reviews these files, following which the parties are contacted and the appropriate course of action is determined.

Agency Reform

Management Board Secretariat (MBS) introduced guidelines for all Agencies, Boards and Commissions with respect to the development of policies governing appointment agreements, code of conduct, issues of bias, Member position descriptions and complaints. A committee of both OMB and ARB Members, chaired by Susan Fish, Executive Vice Chair, developed this policy package for the Boards.

Performance Measures

The Board has established performance goals to measure and improve its efficiency. These measures were first put in place in 1999. After the first year they were re-evaluated and the measures revised for subsequent years.

The performance measures track the timeliness of the OMB in processing appeals, from the moment an appeal is filed until the hearing process is complete and the decision issued. Performance measures cover three aspects of appeal processing:

1. Processing Phase

This performance indicator measures the time from the date an appeal is received at the OMB to the date the matter is sent to the Hearings Division to schedule the hearing. This includes time to create the file, enter information in the OMB data base, review the file to ensure all submission requirements have been met and discuss the issues with the parties in order to determine the type and length of hearing. On some files, one or more of the parties may ask that the case be put on hold for a variety of reasons. Files received by the OMB may be incomplete or may have to be held in abeyance pending a decision by a municipal council on an application that is best heard concurrently with the file before the OMB. Each of these factors may affect the length of time devoted to the processing phase. Consequently, there are some circumstances that create delays over which the Board has little control.

The Board has exceeded its targets for both the 60 and 120 day categories in 2000-2001. It is important to maintain an appropriate balance between sending files to Hearings Division within the targeted time and spending time case managing the file. Additional time in the processing phase can lead to shorter hearings and sometimes assists in achieving settlements or withdrawals.

Case Processing

1999-2000		2000-2001	
Targets	Results	Targets	Results
40% within 60 days	64%	65% within 60 days	67%
66% within 120 days	75%	75% within 120 days	80%

Since first being introduced in the previous fiscal year, the Board has elevated its targets. The Board has improved upon the results achieved in the previous year.

2. Scheduling Phase

This chart tracks the time from the date the hearing request is sent to Hearings Division to the start date of the first hearing event (for example, a prehearing conference or preliminary motion). This includes the time required to group the hearing request geographically with other hearing requests, to arrange for and confirm an appropriate

hearing venue, and to assign a Member panel to conduct the hearing. This performance indicator also includes the time required to provide notice of the hearing, which is 35 days in most cases and 60 days in others (for example, Official Plan Amendments).

The Board has increased the targets from the previous year and maintained consistent results, which exceed the established targets.

Case Scheduling

1999-2000		2000-2001	
Targets	Results	Targets	Results
70% within 90 days	87%	85% within 90 days	88%
80% within 120 days	95%	95% within 120 days	95%

3. Decision Phase

This period commences once a hearing event is completed. It measures the time taken by the Member panel to make a decision, prepare written reasons and issue the decision.

The Board has been able to increase significantly the number of decisions issued within both the 30 and 90 day periods. Seventy-eight per cent of all decisions are issued within 30 days of the hearing. This represents a 10% increase over the previous year's results.

Issuance of Decisions

1999-2000		2000-2001	
Targets	Results	Targets	Results
80% within 30 days	68%	80% within 30 days	78%
90% within 90 days	88%	90% within 90 days	94%

ONTARIO MUNICIPAL BOARD

The Board is committed to rendering well-reasoned decisions as a first priority. The length of the hearing, the amount of evidence, the number of witnesses and the complexity of the appeal are all factors that affect the time it takes for a Member panel to issue a decision. The length of hearings varies from case to case and depends upon the complexity of the issues and the number of parties, participants and witnesses.

Rules of Practice and Procedure

The Board published a new comprehensive set of rules and procedures in September 2000 under the title, *Ontario Municipal Board Rules of Practice and Procedure*. The Board's objective was to make its rules and procedures available in one consolidated document that is reader friendly and readily accessible to stakeholders and customers. This document is available on the Board's web site at www.omb.gov.on.ca

The *Rules of Practice and Procedure* include procedures for pre-hearing conferences, motions, adjournments, mediation, awards of costs, serving documents by fax, preparing exhibits for hearings, the Board's review process, and rules for matters arising under the *Assessment Act*, the *Expropriations Act*, and the *Environmental Bill of Rights*.

Alternative Dispute Resolution Initiatives

Pre-hearing Conferences

With the increasing complexity of matters coming before it, the Board has increased its use of pre-hearing conferences (PHCs). These PHCs are used to identify parties and participants to a proceeding, identify and define issues with a view to full or partial settlement of the dispute, identify potential witnesses, and to fix a date and place for the hearing. At a PHC, mediation may also be discussed as a potential tool for narrowing or resolving issues. The Board may also issue a procedural order, providing directions for pre-filing of witness lists, expert statements and reports, for meetings of experts, and for further disclosure where necessary.

Mediation

The Board continues to place much importance on the value of mediation as a case management tool. In case managing the file, the Board's Planners and Planning Assistants canvass the parties on opportunities for mediation. While mediation is not mandatory, it has proven to reduce hearing time and has even resolved some complex matters prior to a full hearing. Mediation may reduce costs. It may result in fewer issues at the hearing, and the remaining issues are often resolved through a telephone conference call or a much shorter hearing.

Mediation is usually arranged before a hearing is scheduled, at the request of the parties. Members also initiate this process at the time appointed for the hearing. Even in mid-hearing, a Member may attempt to effect settlement, or ask another Member to mediate when resolution by this route appears possible.

Again this year, more Board Members upgraded their skills in conducting mediations. As noted earlier, the OMB's new *Rules of Practice and Procedure* includes a section on mediation.

Information Technology

The Board continues to refine the capabilities of the Case Management Information System (CMIS).

The CMIS software tracks files, analyzes caseloads and uses timelines to enable measurement and monitoring of each step in the case management process. CMIS provides critical information, such as reports on case status and other statistics that assist the Chair and enable the management team to meet performance targets and address problem areas quickly and effectively. Operational since 1998, the system now provides statistics for multiple years.

The Board's computer network also has remote access capability, so that Members are able to search electronic files from anywhere in the Province, and transmit decisions to the OMB head office, to be formatted, printed, and issued.

The OMB's website at **www.omb.gov.on.ca** has been enhanced to provide electronic access to decisions. The website is updated each week. All decisions issued since

January 1, 2001 are available in Adobe PDF format. Decisions can be searched by key word and printed. A Communications section has been added to the Board's website, in order to enhance communication with our stakeholders.

The site continues to provide basic information that clients seek about the Board: a Guide to the Ontario Municipal Board, Rules of Practice and Procedure (September 2000), legislation conferring authority, Board contacts, frequently asked questions, how to obtain a copy of a decision or order, other Internet resources, and a feedback mechanism.

Case Management: Assessment Appeals

As noted earlier, the *Assessment Act* was amended in 1997 to remove the right to appeal an Assessment Review Board decision to the Ontario Municipal Board. However, any matter heard by the Assessment Review Board before January 1, 1998 could still be appealed to the OMB.

At year's end, the Board had a remaining workload of approximately 541 cases, a reduction from the 637 in the previous annual report. In December 2000, the Supreme Court of Canada refused to hear an appeal from a decision of the Court of Appeal for Ontario in *Slough Estates Canada Ltd. v. Ontario (Regional Assessment Commissioner, Region No. 15)* (2000), 48 O.R. (3d) 84. This allowed the Board to proceed with the majority of assessment appeals that had been held in abeyance pending the court's decision. Vice Chair Marilyn F. V. Eger continues to supervise the Assessment workload.

The Board has also found that most remaining matters are generally settled before a hearing is held. Once a hearing date is set, parties are often motivated to discuss settlement of issues.

Amalgamation with the Assessment Review Board (ARB) and Board of Negotiation (BON)

In 1997, the Wood Task Force on Agencies, Boards and Commissions recommended amalgamating the Ontario Municipal Board, the Assessment Review Board (ARB) and the Board of Negotiation (BON).

ONTARIO MUNICIPAL BOARD

To date, the direction taken has been to pursue amalgamation at the administrative level. This process began in 1998, when the three tribunals began to share leadership, resources and best practices. Since January 1998, the Chair of the OMB has been cross-appointed as Chair of the ARB and the BON. During the term of this report, the OMB's Executive Vice Chair, three Vice Chairs and eight Members were cross-appointed to the ARB. A joint Chief Executive Officer of the OMB and ARB was appointed in January 1999. The Boards also share two legal Counsel.

A step toward amalgamation was taken when the OMB and BON were transferred to the same Ministry as the ARB, the Ministry of the Attorney General. Prior to the November 1, 2000 transfer, the OMB and BON were under the Ministry of Municipal Affairs and Housing.

ONTARIO MUNICIPAL BOARD

FILE STATISTICS

Application, Appeals or Referrals Received by Type		FISCAL YEAR 1998 - 1999		1999 - 2000		2000 - 2001	
		#	%	#	%	#	%
1	Minor Variances	575	27%	595	28%	568	28%
2	Consents	358	17%	357	17%	385	19%
3	Zoning By-laws	291	13%	306	15%	309	15%
4	Official Plans	241	11%	227	11%	264	13%
5	Zoning Refusal or Inaction	184	9%	188	9%	209	10%
6	Municipal Structure (includes site plans)	95	4%	115	5%	114	6%
7	Plans of Subdivision	99	5%	89	4%	99	5%
8	Development Charges	8	0%	176	8%	43	2%
9	Land Compensations	32	1%	31	1%	37	2%
10	Capital Expenditures	12	1%	15	1%	16	1%
11	Consolidated Hearings	3	0%	3	0%	5	0%
12	Assessments	266	12%	2	0%	0	0%
	TOTAL	**2,164**	**100%**	**2,104**	**100%***	**2,049**	**100%***

***Total does not add up to 100 per cent due to rounding off.**

ONTARIO MUNICIPAL BOARD

C. FINANCIAL SUMMARY

Revenue

Using the authority in section 100 of the *Ontario Municipal Board Act*, filing fees have been set for each application, appeal or referral. The standard base fee for a stand-alone appeal/referral is $125.00. Revenues collected under section 99 of this Act are reported as Miscellaneous. They include, for example, fees for publications, copies of documents, maps or plans, and all certificates provided under the legislation. The fees collected by the Board are remitted to the Minister of Finance.

Fees Collected

	FISCAL YEAR		
APPLICATION, APPEAL OR RENEWAL FEES	**1998 – 1999**	**1999 – 2000**	**2000 – 2001**
Capital Expenditures	$ 1,375.00	$ 1,500.00	$ 1,750.00
Planning Act Matters	263,397.00	264,439.25	264,995.00
Development Charges	1,125.00	39,500.00	7,500.00
Assessment Appeals*	26,809.00	505.00	250.00
Miscellaneous	3,171.50	3,124.00	7,374.50
TOTAL	**$295,877.50**	**$309,068.25**	**$281,869.50**

*Change in Legislation made the Assessment Review Board the sole tribunal to resolve assessment appeals.

Source: Public Accounts

The *Fair Municipal Finance Act* introduced a new dispute settlement process at the local level for taxpayers who wish to dispute their property assessment or classification. The Assessment Review Board (ARB) was made the sole adjudicator of any resulting Assessment Appeals.

As of January 1, 1998, the right of appeal to the Ontario Municipal Board from Assessment Review Board decisions ceased (except for appeals predating January 1, 1998). This virtually eliminated the OMB's Assessment applications and associated revenues.

ONTARIO MUNICIPAL BOARD

Allocation

The budget of the Ontario Municipal Board is provided within the Estimates of the Ministry of Municipal Affairs and Housing on a fiscal-year basis.

Actual Expenditures

	FISCAL YEAR		
ACCOUNT ITEM	**1998 - 1999**	**1999 - 2000**	**2000 - 2001**
Salary and Wages	$4,531,179.00	$4,448,583.00	$4,405,245.00
Employee Benefits	815,353.00	869,459.00	843,468.00
Transportation & Communications	648,519.00	644,862.00	687,188.00
Services	710,420.00	684,369.00	812,973.00
Supplies & Equipment	108,478.00	118,837.00	135,249.00
Transfer Payments	NIL	NIL	NIL
TOTAL	**$6,813,949.00**	**$6,766,110.00**	**$6,884.123.00**

Source: OMB Year-End Accounts

BOARD OF NEGOTIATION

A OVERVIEW OF THE BOARD OF NEGOTIATION

Purpose of the Board

The Board of Negotiation (BON) serves as an informal tribunal which negotiates compensation settlements in expropriation cases. The BON becomes involved only after alternative avenues to resolve the issues have proven ineffective. The meetings with expropriated parties and the authorities are arranged throughout Ontario at no cost to either party. The Board reviews all written documentation of the parties and considers the submissions of the parties.

Through mediation, the Board attempts to bring the parties to an agreement on the appropriate compensation for the specific case. With no power to impose a settlement, the Board will, where sufficient information has been submitted, provide an opinion about how to reach fair compensation. Subsection 27(5) of the *Expropriations Act* provides that the Members of BON view the property in question prior to or during the hearing. Using its expert mediators, the BON has been able to achieve a high rate of success with the cases brought before it. If no settlement can be reached, the parties can take their appeal to the Ontario Municipal Board.

History and Jurisdiction

The Board of Negotiation was formed under the authority of the *Expropriations Procedures Act* 1962/63. The Act, which came into force on January 1, 1964, represented one of the recommendations of the report of the Select Committee on Land Expropriation.

As a result of subsequent studies on compensation and procedures, including the reports for the Ontario Law Reform Commission, the *Expropriations Act* came into force on January 1, 1970. Under this Act, the Land Compensation Board was established to replace the various arbitration authorities with a single tribunal which would possess the potential for uniform decision-making. More recently, the Ontario Municipal Board has assumed the duties of the Land Compensation Board.

Monthly Breakdown – April 1, 2000 – March 31, 2001

	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	**TOTAL**
Requests Received	0	4	2	3	3	3	0	3	0	0	2	2	**22**
Meetings Held	2	1	1	2	1	3	5	3	2	1	1	2	**24**

BOARD OF NEGOTIATION

Activity Report – April 1, 2000 – March 31, 2001

EXPROPRIATING PARTY	NUMBER OF REQUESTS
The Corporation of the City of London	1
Ministry of Transportation	9
The Corporation of the City of Nanticoke	2
The Municipality of Hamilton-Wentworth	1
The Township of South Glengarry	1
The City of Barrie	1
Catholic District School Board of Eastern Ontario	1
The Municipality of Clarington	1
The County of Hastings	1
The City of Windsor	1
The Town of West Flamborough	1
The Town of La Salle	1
The City of Toronto	1
TOTAL	**22**

B. FINANCIAL SUMMARY

Allocation

The budget of the Board of Negotiation is provided within the Estimates of the Ministry of Municipal Affairs and Housing on a fiscal year basis.

Actual Expenditures

	FISCAL YEARS		
ACCOUNT ITEM	**1998 - 1999**	**1999 - 2000**	**2000 - 2001**
Salary and Wages	$24,609.00	$24,052.00	$18,032.00
Employee Benefits	14,355.00	5,750.00	3,022.00
Transportation & Communications	10,538.00	7,095.00	9,202.00
Services	18,404.00	14,310.00	15,200.00
Supplies & Equipment	1,879.00	2,992.00	982.00
Transfer Payments	NIL	NIL	NIL
TOTAL	**$69,785.00**	**$54,199.00**	**$46,438.00**

ONTARIO MUNICIPAL BOARD

CHAIR/VICE CHAIRS/MEMBERS OF THE ONTARIO MUNICIPAL BOARD DURING THE 2000 - 2001 FISCAL YEAR

CHAIR	DATE APPOINTED
JOHNSON, David J.**	November 15, 2000
*COLBOURNE, Douglas S.**	September 3, 1968
Vice Chair	June 1, 1977
Executive Vice Chair	November 1, 1993
Chair	November 1, 1996 to October 31, 2000

EXECUTIVE VICE CHAIR	
FISH, Susan**	September 26, 1994
Executive Vice Chair	November 1, 1996

VICE CHAIRS	
EGER, Marilyn F.	August 6, 1991
Vice Chair	September 8, 1994
HUBBARD, Marie**	December 10, 1997
Vice Chair	December 10, 2000
O'BRIEN, James	January 1, 1997
Vice Chair	September 5, 2000
OWEN, Robert D. M.**	January 4, 1983
Vice Chair	August 27, 1992
*SANTO, Diana L.	March 10, 1980
Vice Chair	June 6, 1991 to June 15, 2000
SEABORN, Jan de P.**	
Vice Chair	May 31, 2000

ONTARIO MUNICIPAL BOARD

MEMBERS	DATE APPOINTED
AKER, John R.	May 10, 2000
BEACH, Calvin A.**	March 2, 1992
BECCAREA, Robert A.	October 21, 1998
BISHOP, Gregory C. P.	September 18, 2000
BOXMA, J. Robert**	January 1, 1997
CRAWFORD, Norman A.	August 1, 2000
CULHAM, David J.	May 24, 2000
DALY, Gregory J.	October 21, 1998
DRURY, Robert E.**	April 29, 1999
EMO, Ronald J.**	February 5, 1997
GRANGER, Donald R.**	November 3, 1997
HARRON, Gary A.**	December 1, 1982
JACKSON, Norman C.	October 6, 1997
KATARY, Narasim M.**	August 1, 1989
KRUSHELNICKI, Bruce W.	August 6, 1991
LEE, S. Wilson	July 1, 1988
MAKUCH, Richard G. M.	November 18, 1998
McLOUGHLIN, Brian W.	January 1, 1984
MILLS, James R.	May 10, 1982
ROGERS, Susan D.	September 8, 1997
ROSENBERG, Morley A., Q.C.	January 3, 1983
WATTY, W. R. Franklin	August 1, 1989
WYGER, Penny L.	November 25, 1998
YAO, Ted**	July 3, 1989

*Members who have left the OMB

Cross-appointed to the ARB**

ONTARIO MUNICIPAL BOARD

MEMBER BIOGRAPHIES

John R. Aker was appointed to the Ontario Municipal Board on May 10, 2000. He is a graduate of Queen's University in business and commerce. He was City Councillor of Oshawa and Regional Councillor of Durham for over 20 years. He served as Works Chairman, Region of Durham and Member of the Planning Committee, City of Oshawa for several years. Prior to joining the Board, he was President of Schofield-Aker Insurance in Oshawa.

Calvin A. Beach was appointed to the Board on March 2, 1992. He is a professional engineer with design and management experience on civil and municipal engineering projects in the United Kingdom and Canada. Prior to joining the Board, Mr. Beach was an associate partner with the IBI Group.

Robert A. Beccarea was appointed to the Board on October 21, 1998. A lawyer since 1972, he is a graduate of the University of Western Ontario. Mr. Beccarea was a City of London Councillor for nine years and Chair of its Planning Committee. His most recent legal association was with the law firm of Siskind Cromarty Ivey & Dowler in London, specializing in municipal and labour law.

Gregory C. P. Bishop joined the Board on September 18, 2000. He is a graduate of the University of New Brunswick. He became a professional engineer in 1982, an Ontario Land Surveyor in 1986, and he practised for many years in rural Ontario. In 1997, he expanded his horizons into the financial planning and insurance industry. He served for five years as a member and chairman of the local community and housing corporation.

J. Robert Boxma was appointed to the Board on January 1, 1997. A lawyer, he was with the firm of Smith, Lyons in the City of Toronto and practised for many years in the municipal and planning fields, appearing frequently before the Board and the Environmental Assessment Board. He holds a Masters Degree in law from the London School of Economics and Political Science.

Norman A. Crawford was appointed to the Board on August 1, 2000. A lawyer since 1972, he is a graduate of Osgoode Hall Law School and practised in both the public and the corporate and private sector. Prior to his appointment to the OMB, he carried on a general law practice in Kitchener, Ontario.

David J. Culham was appointed to the Board on May 24, 2000. He was a municipal Councillor with the City of Mississauga and the Region of Peel from their inception in 1974, chairing both of their Planning Committees several times. He graduated from the University of Western Ontario in 1967 with a Masters Degree in Geography and Planning.

Gregory J. Daly was appointed to the Board on October 21, 1998. A planner, he graduated from Ryerson Polytechnic University and then practised in both the public and private sectors, most recently as Senior Planner at the law firm Weir & Foulds in Toronto, advising the municipal and environmental law practice group.

Robert E. Drury was appointed to the Board on April 29, 1999. He has a broad background in agriculture, hydrology and small business. Mr. Drury was Mayor of Oro-Medonte Township for nine years and Warden of the County of Simcoe. He was also a member of and chaired various municipal planning committees.

Marilyn F.V. Eger was appointed to the Board on August 6, 1991, and became a Vice Chair on September 8, 1994. A planner, she was previously with the Regional Municipality of Peel and the Credit Valley Conservation Authority. She holds a Masters Degree in Environmental Studies from York University.

Ronald J. Emo was appointed to the Board on February 5, 1997. An Ontario Land Surveyor (OLS) and Ontario Land Economist (OLE), he was in practice in Collingwood for many years. He served on Collingwood Town Council for ten years, eight of which were as Mayor. Mr. Emo served on several inter-municipal committees such as waste management and housing. He holds a degree in geography and political science from Wilfrid Laurier University.

ONTARIO MUNICIPAL BOARD

Susan Fish was appointed to the Ontario Municipal Board on October 1, 1994, appointed Executive Vice Chair in 1996 and cross-appointed as Vice Chair of the Assessment Review Board in 1998. She holds a Masters Degree in Public Administration and has authored a number of studies on housing, transportation, urban development, and municipal structure and finance. She has taught Municipal and Planning Law at York University and at the University of Toronto Law School. She was Executive Director of the Bureau of Municipal Research, a Toronto City Councillor, Minister of Citizenship and Culture and Minister of the Environment. Prior to her appointment, she was a principal in a strategic planning and communications firm.

Donald R. Granger was appointed to the Board on November 3, 1997. He was a College Professor and Coordinator of the Municipal Planning and Development Program (now Urban and Regional Planning/GIS) at Mohawk College from 1978 to 1997. He served terms as Deputy Mayor and Mayor in the Town of Flamborough and Regional Councillor in Hamilton-Wentworth from 1988 to 1994. He co-chaired the Constituent Assembly on the Municipal Government System in Hamilton-Wentworth in 1995-1996. He is a former member and past president of the Royal Botanical Gardens. He is a Registered Planner in Ontario and a member of the Society for Conflict Resolution in Ontario.

Gary A. Harron was appointed to the Board on December 1, 1982. He is a former Reeve of Amabel Township and Warden of Bruce County. A graduate of the University of Guelph, he has an extensive background in agriculture.

Marie Hubbard was appointed to the Board on December 10, 1997 and a Vice Chair in 2000. She was cross-appointed as a Vice Chair of the Assessment Review Board in December 2000. She is a former Mayor of the Town of Newcastle and was also Chair of the Planning Committee, Region of Durham.

Norman C. Jackson was appointed to the Board on October 26, 1997. He was the City Solicitor for the City of Kingston for 20 years and formerly a solicitor with the City of Ottawa. He appeared frequently before the Board on planning and municipal matters.

David J. Johnson was appointed Chair of the OMB, ARB and BON on November 15, 2000. Prior to this appointment, he was President and CEO of the Toronto General and Western Hospital Foundation. He has been a Member of the Provincial Parliament for the Don Mills Riding, the Minister of Education and Training, Government House Leader, Minister of Health, Chair of Management Board of Cabinet, Finance Opposition Critic and Municipal Affairs Opposition Critic. He was also the Mayor of East York for ten years. He holds a Bachelor of Science degree from McMaster University and a Master of Mathematics degree from the University of Waterloo.

Narasim M. Katary joined the Board on August 1, 1989. He has formal training in engineering, city planning and regional economics, and was the head of long range planning with the Regional Municipality of Sudbury prior to joining the Board.

Bruce W. Krushelnicki was appointed to the Ontario Municipal Board on August 6, 1991. Formerly an Associate Professor and Director of the Institute of Urban and Environmental Studies, Brock University, where he taught for 12 years, Dr. Krushelnicki studied in the schools of Urban and Regional Planning at Queen's University and the University of Waterloo.

S. Wilson Lee joined the Board on July 1, 1988. He served as the Assistant Regional Solicitor with the Regional Municipality of Peel for ten years and prior to that, as an Assistant Regional Solicitor in the Regional Municipality of Sudbury.

Richard G. M. Makuch joined the Board on November 22, 1998. He was City Solicitor for the City of Gloucester and was legal counsel to two major federal tribunals. He appeared frequently before the Board as well as the Federal Court of Appeal and the Ontario Courts.

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Brian W. McLoughlin joined the Board on January 1, 1984. Prior to his appointment, he was the Assistant Deputy Attorney General - Courts Administration. After graduating as a Chartered Accountant in 1961, he practised with Touche and Company before he joined the Ministry of the Attorney General.

James R. Mills was appointed to the Board on May 10, 1982. With a background in sales training and management, he operated his own insurance company for many years before joining the OMB. He was a councillor in Muskoka Lakes and he chaired numerous ratepayer groups. He was a Member and Vice Chair of the Toronto Committee of Adjustment for nine years.

James L. O'Brien was appointed to the Board on January 1, 1997 and a Vice Chair in 2000. He is a lawyer with extensive experience in the municipal and planning areas, both with the Regional Municipality of Ottawa-Carleton and the City of Ottawa, and also has a great deal of experience before the Board.

Robert D. M. Owen was appointed to the Ontario Municipal Board in 1983. He became a Vice Chair of the OMB in 1992 and was cross-appointed as a Vice Chair of the Assessment Review Board in 1998. Mr. Owen is Vice President of the Society of Ontario Adjudicators and Regulators (SOAR) Board of Governors and is a Member of the Board of Directors of the Council of Canadian Administrative Tribunals (CCAT). A graduate of Queen's University Faculty of Law, he was called to the Ontario Bar in 1970. Prior to joining the OMB, he practised law in Orillia and in Toronto.

Susan D. Rogers was appointed to the Board on September 8, 1997. She practised as a lawyer with the firm of Goodman and Carr in Toronto. Prior to that, she was a solicitor in the Law Department of the Regional Municipality of Halton and directed Halton's landfill environmental assessment process. Ms Rogers' specialty was the field of municipal, environmental and planning law and she appeared frequently before the Board.

Morley A. Rosenberg was appointed to the Board in 1983. He is a lawyer, and was formerly Mayor of Kitchener, Regional Councillor for the Region of Waterloo and member of the Grand River Conservation Authority.

Jan de P. Seaborn was cross-appointed to the Ontario Municipal Board as a Vice Chair on May 31, 2000. Prior to her appointment as a Vice Chair of the Assessment Review Board in March 1998, she was a partner in the regulatory, planning and environmental department of a Toronto law firm. Called to the Ontario Bar in 1983, her practice included many appearances as Counsel before the Environmental Assessment Board, Joint Board, Ontario Municipal Board and federal regulatory tribunals.

W. R. Franklin Watty joined the Board in August 1989. Prior to this appointment, he was the Director of Planning with the Regional Municipality of Waterloo.

Penny L. Wyger was appointed to the Board on November 25, 1998. She is a lawyer with extensive experience in municipal law who holds a Masters Degree in Public Administration. She was a Director of Planning and Development Law at the City of Scarborough and head of the legal department at the Town of Pickering. She has appeared frequently before the Board.

Ted Yao joined the Board on July 3, 1989. He has held the position of solicitor with the cities of Toronto, Mississauga and Oshawa and was an Urban Planner with the National Capital Commission, Ottawa. Prior to his appointment, Mr. Yao conducted civil litigation before all courts in Ontario, as well as appearing frequently before the Board.

BOARD OF NEGOTIATION

MEMBERS	DATE APPOINTED
SWAYZE, G.W.	June 30, 1976
MOWAT, W.J.	December 20, 1968
MILNE, J.E.	November 1, 2000

MEMBER BIOGRAPHIES

John E. Milne, a recently appointed part-time Member of the Assessment Review Board, was appointed to the Board of Negotiation on November 1, 2000. He has had a wide and distinguished real estate appraisal and planning career. He is a Member of the American Institute of Real Estate Appraisers (MAI), the Appraisal Institute of Canada (AACI), a former partner of Chambers and Company of Hamilton Real Estate Brokers, Lecturer, Councillor and Deputy Reeve of the Town of Ancaster.

Warren Mowat is a charter part-time Member of the Board of Negotiation. He joined the BON in 1968. Mr. Mowat is a former real estate broker and a former mayor of The Town of Whitby.

Gordon W. Swayze was appointed a part-time Member of the Board of Negotiation on June 30, 1976. On May 5, 1982 he was designated Chairman in which capacity he served until April 1, 1998 when he reverted to part-time Member. He is a member of the American Institute of Real Estate Appraisers (MAI), the Appraisal Institute of Canada (AACI), and is an Ontario Land Economist (OLE). Prior to his joining the Board of Negotiation he served as Manager, Real Estate Division, National Trust, following which he operated his own brokerage and appraisal business.